

641—202.4 (135) Submission of application.**202.4(1) Application form.**

a. A sponsor of a proposed project for a new or changed institutional health service shall submit to the department an application for certificate of need by using the appropriate application form found on the certificate of need Web page located on the department's Web site, www.idph.state.ia.us. All information requested in the application form will be required in the absence of a waiver by the department.

b. An original application and six copies thereof shall be sent to the Certificate of Need Program, Iowa Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075. An electronic copy of the application and all attachments shall also be submitted.

c. The department shall establish and maintain files on each application.

202.4(2) Application fee. The application shall be accompanied by a fee equivalent to three-tenths of 1 percent of the anticipated cost of the project. There shall be a minimum fee of \$600 and a maximum fee of \$21,000.

a. The fee shall be based on the total cost of the project, which shall include site costs, land improvements, facility costs, movable equipment and financing costs.

b. The fee for leased or donated new institutional health services shall be calculated in the same manner as if the new institutional health services were purchased.

(1) The leased equipment fee shall be based on total value of the lease, plus sales tax, delivery and installation.

(2) The lease of space includes the cost of a one-year-lease payment for the space in addition to other costs associated with the project.

(3) Financing costs shall not be applicable on leases or cash purchases.

c. The fee shall be remitted by check made payable to the Treasurer, State of Iowa, and addressed to Iowa Department of Public Health—Certificate of Need, Lucas State Office Building, Des Moines, Iowa 50319-0075.

d. The application fee will be refunded by the department for any application which is voluntarily withdrawn from the review process in the following amounts:

(1) If an application is voluntarily withdrawn within 30 calendar days after submission, 75 percent of the fee shall be refunded;

(2) If an application is voluntarily withdrawn more than 30 but within 60 calendar days after submission, 50 percent of the fee shall be refunded;

(3) If an application is withdrawn voluntarily more than 60 calendar days after submission, 25 percent of the application fee shall be refunded.

e. The department shall refund the proper amount within 30 calendar days of the applicant's voluntary withdrawal.

f. An applicant for a new or changed institutional health service offered or developed by an intermediate care facility for persons with an intellectual disability or for persons with a mental illness is exempt from payment of the application fee.

g. For purposes of this subrule and Iowa Code section 135.63(1), the term "submission" shall mean the day the application is received by the department.

202.4(3) Determination of completeness.

a. The department shall send written notice to the applicant within 15 business days of receipt of the application if the application has been accepted as complete or otherwise state in said notice what information is needed to make the application complete.

b. An application shall be deemed "accepted" once the department has determined it to be complete and the fees defined in 202.4(2) "a" are paid in full.

202.4(4) Promptly after an application is accepted, the department shall provide written notification to all affected persons defined in Iowa Code section 135.61(1) "c" and "d" which are identified on

the department of inspections and appeals Web site or by the applicant, as provided in Iowa Code section 135.66(2). The department shall notify other affected persons by posting such notification to the certificate of need Web page located on the department's Web site, www.idph.state.ia.us. The notice and the Web page shall identify deadlines for the submission of written materials as provided in 202.6(2).

202.4(5) Written analysis of application.

a. The department shall provide a written report evaluating the application against all applicable criteria specified in Iowa Code section 135.64.

b. All reports shall be provided to council members and to the applicant prior to the health facilities' council meeting at which the application is to be heard.

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